

# TECHNICAL CORRECTION RELATING TO JURISDICTION FOR LAWSUITS AGAINST TERRORIST STATES

Mr. HYDE. Mr. Speaker I move to suspend the rules and pass the bill (H.R. 1225) to make a technical correction to title 28, United States Code, relating to jurisdiction for lawsuits against terrorist states.

The Clerk read as follows:

H.R. 1225

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, effective with respect to any cause of action arising, before, on, or after the date of the enactment of this Act, section 1605(a)(7)(B)(ii) of title 28, United States Code, is amended by striking "the claimant or victim was not" and inserting "neither the claimant nor the victim was".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. HYDE] and the gentlewoman from Texas [Ms. JACKSON-LEE] each will control 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. HYDE].

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1225 corrects a drafting error in the foreign sovereign immunity provisions of last year's antiterrorism bill. We enacted these provisions to allow victims of state-sponsored terrorism, like the Pan American 103 tragedy, to sue the countries who sponsored the terrorist act in American courts.

Our intent was that families should have the benefit of these provisions so long as either the victim or the survivor was an American citizen. Unfortunately, and due to an inadvertent error, the current language can be read to allow the benefit only to those families in which both the victim and the survivor are American citizens.

H.R. 1225 corrects this error and restores the law to our original intent, that the affected person should get all of the benefits of section 221 of last year's antiterrorism bill, including the statute of limitations.

I understand this problem affects several of the Pan American 103 families, including Mr. Bruce Smith, who has been one of the leaders of those families. Mr. Smith, who is an American citizen, lost his wife, who was a British citizen, in the Pan American 103 tragedy. He now stands to lose his claim against Libya if this correction bill is not passed. The case is currently before the Supreme Court on a petition for certiorari. The Court may act on the petition as soon as this month. If that case is concluded before we act, those affected families may lose their claims.

For that reason, I believe it is important that we act expeditiously on this technical correction. The staff has consulted with both the Justice Department and the State Department, and I understand they do not have any objection to the correction.

Mr. Speaker, I am pleased that the distinguished ranking member, the gentleman from Michigan [Mr. CONYERS], the chairman of the subcommittee, the gentleman from Florida [Mr. MCCOLLUM], and the ranking member of the subcommittee, the gentleman from New York [Mr. SCHUMER], joined me in cosponsoring this legislation.

In addition, the other members of the committee from Mr. Smith's home State, the gentlemen from Florida, Mr. CANADY and Mr. WEXLER, Mr. Smith's own Congressman, Mr. MICA, and the gentleman from New York, Mr. MCNULTY, who also has an affected constituent, have joined me in cosponsoring this legislation.

I want to thank Senator HATCH, Senator LEAHY, Senator MACK, and Senator KENNEDY, who are working to get H.R. 1225 passed quickly by the Senate.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join the chairman, the gentleman from Illinois [Mr. HYDE], in supporting this legislation, H.R. 1225. In the antiterrorism bill passed into law last Congress, we amended the Foreign Sovereign Immunities Act to allow American citizens to sue for money damages in American courts for acts of terrorism that occur abroad.

Unfortunately, an error was made when that legislation was drafted. The legislation we consider here does nothing more than correct that error. As written, the law allows suit only if the claimant and the survivor are both American citizens. But if the victim of the terrorist act was not an American citizen, that victim's American spouse cannot sue.

This bill fixes the provision to allow suit if either the victim or the claimant is an American citizen. Because this correction will allow several families to continue their lawsuits against Libya over the bombing of Pan Am flight 103, as well as apply to any future cases in which American families are victimized by state-sponsored terrorism, it is our responsibility, Mr. Speaker, to protect Americans, and to protect Americans against terrorism. I think this correction goes one step further to ensuring that Americans and America and this Government stands up against terrorism. I urge my colleagues to support this legislation.

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Because this correction will allow several families to continue with their lawsuits against Libya over the bombing of Pan Am flight 103 as well as apply to any future cases in which American families are victimized by state-sponsored terrorism, I urge my colleagues to support this legislation.

Mr. HYDE. Mr. Speaker, I thank the gentlewoman from Texas. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. HYDE] that the House suspend the rules and pass the bill, H.R. 1225.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NOTICE OF WITHDRAWAL OF BENEFITS ON ARGENTINIAN EXPORTS UNDER GENERALIZED SYSTEM OF PREFERENCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-66)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed.

*To the Congress of the United States:*

The Generalized System of Preferences (GSP) program offers duty-free treatment to specified products that are imported from designated developing countries. The program is authorized by title V of the Trade Act of 1974, as amended.

Pursuant to title V, I have determined that Argentina fails to provide adequate and effective means under its laws for foreign nationals to secure, to exercise, and to enforce exclusive rights in intellectual property. As a result, I have determined to withdraw benefits for 50 percent (approximately \$260 million) of Argentina's exports under the GSP program. The products subject to removal include chemicals, certain metals and metal products, a variety of manufactured products, and several agricultural items (raw cane sugar, garlic, fish, milk protein concentrates, and anchovies).

This notice is submitted in accordance with the requirements of title V of the Trade Act of 1974.

WILLIAM J. CLINTON.